

**MOTION
EXHIBIT 27**

**FILED UNDER
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Message

From: Lenli Corbett [lcorbett@usfca.edu]
Sent: 7/13/2011 11:49:27 PM
To: 'Scott Sidwell' [sasidwell@usfca.edu]; 'Charles E Cross' [cross@usfca.edu]; 'Jeremy W Howell' [howell@usfca.edu]; davisdj@usfca.edu
Subject: FW: Hearing

REDACTED -- ATTORNEY-CLIENT PRIVILEGE

From: Lenli Corbett [mailto:lcorbett@usfca.edu]
Sent: Wednesday, July 13, 2011 4:47 PM
To: [REDACTED]
Cc: 'Scott Sidwell'
Subject: RE: Hearing

First, a quick reminder about this process—this is not a trial. This is an appeal hearing, in which each side states their reasons for action and a decision is rendered by a party outside of the athletic department. The formal rules of evidence do not apply. The process as previously discussed is as follows:

1. The student (not the parents) will state his or her case as to why he or she believes that the athletically related aid should be renewed for the upcoming academic year.
2. The athletic department (coaching staff and/or Athletic Director) will state the case for why the athletically related aid was cancelled for the upcoming academic year.
3. During either of these presentations, the opposing party is not permitted to comment.
4. Should there be points the institution makes that the student wishes to respond to, Susan Murphy, Senior Associate Dean for Academic and Enrollment Services and the individual that will hear the appeal, will ask the athletic department representatives to step out of the room in order to give the student and parents confidential time to discuss. Susan will also step out of the room.
5. Once the student has discussed the information with his or her parents, the athletic department representatives and Susan will reenter the room. Susan will allow the student (not the parents) to respond.
6. Throughout the appeal hearing, Susan may have questions for the Director of Compliance related to NCAA proceedings or for either party for clarification.
7. Once both sides have stated their respective cases, Susan will state that if either party wishes to submit additional information for review, they may do so before Susan renders her decision. If there is information that either party wishes to submit at the time of the appeal hearing (statements written, etc), they may also do so then.
8. Susan will take a few days to consider all facts related to the case and then render her decision. Her decision is final.

This is the appeal process that is followed for all student-athletes wishing to appeal cancelled or reduced athletically related financial aid or a denial of permission to contact other institutions (in the case of transferring).

At this point, Scott Sidwell, myself, Coach Moore and likely Coach Giarratano will be present (he is out of the office due to medical reasons). If Coach Giarratano cannot be present, he will call in. The appeal is not the time for questions to

be asked directly of each of these people. The appeal is the time to state your case as to why you believe your aid should be reinstated.

No hearing is provided with the items you have requested, so the items (LCD projector, speaker phone, whiteboard, and Wifi/Internet connection) will not be available.

The information you have requested is not relevant to your individual case, so the institution will not provide it. I have checked with Susan regarding your request and she stated that each case is handled individually and its circumstances fully considered and does not believe the information you have requested is necessary for her to hear your case. Your appeal hearing is meant to deal with your individual case, not the cases of other student-athletes.

Should you have additional questions, please let me know.

Lenli

From: [REDACTED]
Sent: Tuesday, July 12, 2011 5:16 PM
To: lcorbett@usfca.edu
Subject: Hearing

Dear Lenli,

Hope all is well. I will get back to you on the list of dates which we are available for the trial. In preparation of for this trial I have a list of requests/questions.

First, can you confirm that the following attendees will be there as I will have questions for each of them: Coach G, Coach Moore, yourself, Ron or Tim from the training room. Optional attendees: AD Sidwell and Coach Nak.

Second, please confirm that I will have the following during the hearing: LCD Projector, speaker phone, a whiteboard and wifi or Internet connection.

Lastly please answer the following questions before the hearing:

1. Over the last 5 years, and by year, what are the number of reductions in aid and the percentage decrease of each for baseball?
2. Over the last 5 years, and by year, what are the number of reductions in aid and the percentage decrease of each for all sports?
3. Over the last 5 years, what is the number of non-renewals by sport due to coach's decision?
4. Over the last 5 years, what is the number of non-renewals for injury?
5. Over the last 5 years, how much aid has been given to injured players whose scholarships have not been renewed?

Please confirm and answers these questions.

Thank you

[REDACTED]